

Form G5 (20200113\_bko)

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
Eastern Division

In Re:	)	Case Number: 20-05532
MARKET SQUARE	)	
RESTAURANT, INC.,	)	Chapter: 7
	)	Honorable Jacqueline Cox
	)	SELECT IF OUTLYING AREA
Debtor(s)	)	

**AGREED ORDER GRANTING RELIEF FROM STAY**

This matter coming to be heard on the Motion for Relief from Stay filed by Lynn Plaza, LLC (the "Movant"), which is a creditor of the debtor, Market Square Restaurant, Inc., (the "Debtor"), in the above-captioned bankruptcy case, due notice having been provided, all interested parties being provided the opportunity to be heard, and the Court deeming itself advised, it is ordered that:

1. The Motion is granted in part:
2. Cause exists under Section 362(d)(1) of the United States Bankruptcy Code (11 U.S.C. §101 et seq., hereinafter the "Bankruptcy Code") for the modification of the automatic stay to permit Movant to exercise any and all of its rights and remedies available to complete the pending forcible entry and detainer lawsuit in order to take possession of the leased premises located at 600 West Dundee Road, Wheeling, Illinois, and for that purpose only, and not including any monetary claims or issues.
3. The Court waives the requirements of Rule 4001(a)(3) regarding the ten (10) day stay of enforcement of this order.
4. Notwithstanding the foregoing, nothing in this order shall be deemed to prohibit Debtor's estate from prosecuting its pending appeal styled "Uncle Tom's, Inc., n/k/a Market Square Restaurant v. Lynn Plaza, L.L.C.," Appeal No. 1-20-0205, and presenting any defenses it may hold in the pending forcible entry and detainer case styled as "Lynn Plaza, LLC v. Uncle Tom's Inc., d/b/a Market Square Restaurant," Case No. 2014 M1-709886. However, this paragraph of this order shall not prohibit Movant from seeking and obtaining an order for possession only in the forcible entry and detainer case based on a failure of the Debtor to pay rent.

Enter:

*J. Cox* *Jacqueline P. Cox*

Honorable Jacqueline Cox

United States Bankruptcy Judge

Dated: *March 31, 2020*

**Prepared by:**

Gregory J. Jordan (ARDC# 6205510)

Mark Zito (ARDC# 6276231)

Jordan & Zito LLC.

55 West Monroe Street, Suite 3600

Chicago, Illinois 60603

(312) 854-7181